

Monday, September 29, 2014

**9:00 CONVENE**

**PRESENT** Deb Ranum, Chairperson; **William L. Randash** and **Steve Baldwin**, Members and **Brenda Wood**, Clerk and Recorder

**9:00 AM Resignation**-September 16, 2014 the Commission received the written resignation from Don Buerkle. Don resigned from the Fair Board earlier but formally tendered his written resignation.

**9:00 AM Amber Lawlar**

Amber met to discuss the costs related to the sewer line the Lawlar's replaced on their property west of Baker. The Lawlar's would like to ask if the County would agree to pay for the expense above what the original cost to replace the sewer line would have been. The original cost was quoted to the Lawlar's at \$5,000.00. Amber hopes the total cost of the project will be under \$40,000.

Amber feels since the Planning Department turned the Lawlar's in to DEQ, when in fact their line was grandfathered in, this would be the responsibility of the County to pay. The DEQ now stated they have to have 2 lines due to Leland Erickson property.

Amber would rather work this out than to get an Attorney involved in it. The Lawlar's will know the costs this week.

**Bridge work**-Discussed placing some guards or speed bumps, speed zone signs and in some way mark the new road. The reason for asking is the Lawlar's feel they will experience a lot of traffic driving on their property.

**10:00 AM Bobby Wiedmer**, Road Foreman and **Alba Higgins**, Shop Foreman

**Auction**-The group reviewed auction items; the Road Department will place new batteries in the snow blower and the cars are repaired.

**Diesel fuel**-Number 2 Diesel will not make it to the pipelines until November. At this time the Road Department has been getting Number 1 Diesel from Cenex.

**10:00 AM-Nicole Shuler**, Chamber of Commerce Director joined.

**Bids**-Permission granted to get the trucks and tool carrier bid process ready. Trucks-will bid with the option of purchasing one or more trucks and trading 0 – 2 trucks.

**Mowing**-They should be done mowing or very close to it this week.

**Culverts**-Golden Valley County purchased some culverts they may not be able to place, due to FWP rulings. Bobby felt the culverts may work for our County.

**Shop addition**-Discussed adding 8 more bays to the County shop. This would alleviate the Park from having to move items back and forth between two shops as well as accommodate housing more trucks and equipment inside.

**Calcutta Tickets**-Nicole was selling Calcutta tickets to anyone wishing to purchase one.

**10:45 AM Fish Wildlife and Parks Cooperative Management Agreement**-The Commission reviewed and approved the Cooperative Management Agreement between the County and MT FWP for the Construction and Rehabilitation of Roads, Parking Areas and Bank Erosion at the South Sandstone Fishing Access Site. The agreement will remain effective for 1 year beginning September 1, 2014. Commissioner Ranum signed as Chairperson and Rich Batterman signed as legal counsel. That agreement is on record in the Clerk and Recorder's office.

**11:00 AM-Lutheran Church Fair Stand**

**Pastors Reba** and **Bruce Kolasch**, **Julie Stanhope**, Parish Secretary and **Fred Houszvicka**, Church Board Chairman

**Water issues**-Commissioner Ranum stated it seems water run-off has been diverted, from the new construction that has taken place, to the existing Lutheran Stand; several agreed.

**Discussion**-Commissioner Ranum feels the County would pay for the building; place the anisole hood and relocate the grill. Pastor Reba wondered if the County could write up a letter stating the new stand will belong to the Lutherans. Commissioner Ranum stated she felt the County would want to use the building for other events; the Lutherans would get first choice to do the event or others could use it.

Discussed the dimensions of the building so they will know if they can move the grill to the new building. Commission suggested contacting Darrell Aaby, Building Codes Inspector for advice. The group also discussed making a larger area for seating.

**Decision**-They will work on the size; get the building plans together and return to speak with the Commission after that is decided. At this time they can work on the timing for removal of the old stand and building construction for the new stand. Discussed possibly adding a fryer to the stand since there will have to be an anisole hood in the new building. The County would also furnish the water, sewer, electrical in addition to the building and the hood; the Lutherans would need to provide the rest. Fred will take this to the Council. They will decide what they can move over and the costs for the rest of the items. The group expressed their appreciation to the Commission.

**11:50 AM Dale Butori**, Weed Supervisor

Dale asked permission to purchase a side by side. The Weed Board approved of this and there is money in his budget. The other side by side could be taken to the Landfill. Permission granted.

**RECESS**

**Commissioner Randash** made the motion to recess. **Commissioner Baldwin** seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

Noon Recess

**1:15 PM RECONVENE**

**PRESENT Deb Ranum**, Chairperson; **William L. Randash** and **Steve Baldwin**, Members and **Brenda Wood**, Clerk and Recorder

**1:15 PM FEED MILL BRIDGE - Jon Brosz** and **Shannon Hewson**, Brosz Engineering and **Bobby Wiedmer**, Road Foreman met to discuss the Feed Mill Bridge project. Jon and Shannon stated they have all of the permits to complete the project but have not yet received the local permit from the Planning Department (Flood Plain Coordinator). **Mary Grube**, Planning Secretary was asked to join the group.

**FEMA and DNRC**-These two groups were here completing an unannounced Flood Plain Audit.

**1:20 PM-Mary Grube**, Planning Secretary joined the discussion.

Feed Mill Bridge permitting was discussed. Mary stated she needs to contact **Traci Sears**, DNRC but Traci is out of the office today. This will have to be advertised in the paper and the landowners will have to be notified of the project as well. Jon stated he would complete a template to get the public notification to the paper. Mary stated it would be conditionally approved.

**1:30 PM Faron Henderson**, Contract Planner joined; Faron agreed this needs to be advertised and they will contact Traci Sears tomorrow.

**Bonnevale Bridge**-Discussed the amount of County land that would be needed from the landowners for temporary construction.

**Fletcher Creek**-The box culvert will be set on Thursday.

**Nelson Survey**-TNT completed the boring and were told TNT may have knocked some of the coating off the pipes. Brosz has the information they need to finish the plat.

**Examining Land Surveyor**-Discussed possibly having more than one examining land surveyor, such as Brosz Engineering and Adam Thompson, so they do not have to send the plats so far to be reviewed. Jon felt Brosz would be willing to do that.

**Subsequent Minors**-This was discussed by the group; State Laws allow subsequent minors but Fallon County Subdivision Regulations do not allow them. Faron could do some research on them.

**2:00 PM Planning Agreement**

The Commission and the County Attorney reviewed and approved the Agreement between Fallon County and FH Engineering for Planning and Flood Plain Coordinator services. The agreement is on record in the Clerk and Recorder's office.

**2:20 PM Scott Rabbitt**, Park Supervisor

**Skate Park**-Scott stated the generous donation from Jeff Ament was received for the Skate Park in the amount of \$40,000.00 (which was applied toward the cost of the bowl)! They poured some concrete last week Monday, forming today through Wednesday; plan to pour more on Thursday and Friday.

**Pump Track**-The Pump Track arrived and was unloaded today. The loader will arrive tomorrow so they can start assembling it. .

**Cement Work**-Gamut Construction is preparing to pour cement for the boat launch and sona tubes for the remainder of the lights.

**Sidewalks**-Discussed preparing to pour sidewalks by gathering signed easements from landowners.

### **2:30 PM September Mid-Month Claims**

The Commission reviewed and approved the Fair Concert refund claims in the amount of \$29,565.00 and they are filed in the Clerk and Recorder's office.

### **2:45 PM Barb Ketterling, Treasurer/Assessor**

**Training**-Barb will have two people going to Motor Vehicle Training and another will be out of the office. Barb asked if she could call Erna Greenlee, former Treasurer Clerk to come in as Erna is already trained on the computer system. Permission granted. Payroll will be notified.

### **3:00 Joe Janz, Outside Maintenance**

**Heat tape**-Joe asked for permission to order heat tape (480' from jail to end of courthouse on South side). The roofers cut the original heat tape during the roofing project and spliced it together. Joe feels this was a safety issue. Permission granted.

**FWP**-There are no updates; waiting to talk to Jason Senn, FWP about the South Sandstone project. Jasen Wyrick, Contractor for the project, has not set up yet.

**Museum Storage**-Connex storage unit is full of Centennial items. Joe has permission to use the building south of the big metal building (former outside maintenance building). Commissioner Baldwin will visit with Museum Curator about the storage issues.

**3:15 PM Alberts Approach Permit**-The group discussed the approach permit for the Albert's. The Commission will not approve until the Road Foreman lets the Commission know the Albert's have completed necessary work.

### **3:30 PM-Mary Grube, Planning Secretary and Faron Henderson, Contract Planner**

**Plat Status Report** and **Planning Department Report** were reviewed with the Commission.

### **3:40 PM Susan Swimley, MACo Attorney** joined the group.

#### **Discussed various items:**

**City of Baker**-What Planning needs to do for the City.

**Feed Mill Box Culvert**-The group asked about the procedure for the Flood Plain permit. Susan recommended they wait on **Traci Sears**, ST of MT Flood Plain Coordinator-DNRC before they make any decisions.

**Planning Laws**-Susan explained various laws relating to County and City Planning, etc.

### **4:25 PM Wanda Pinnow, Fair Board member** joined the group.

Everyone left except Wanda.

### **4:30 PM Fair Board Member Appointment**

**Applications**-Two applications were received for the open position on the Fair Board: Courtney Dietz; and Jason Coulter. After reviewing and discussing the applications Commissioner Baldwin made the motion to appoint Courtney Dietz to complete the term vacated by Don Buerkle. Commissioner Randash seconds the motion. 3 ayes. 0 Nays. Motion carried unanimously.

**Barn restrooms**-They group discussed complaints about the barn restrooms during the Fair. Wanda explained they were cleaned every two hours. They would clean them, and for example, 5 minutes later someone would come in and flush the toilet with their dirty boots, etc. rather than their hands.

**4:45 PM-Mary Grube**, Planning Secretary stated she received approval from **Traci Sears**, State Flood Plain Coordinator to have Brosz Engineering submit an emergency permit for the Feed Mill Box Culvert placement and advertise for public comment at the same time .

**4:55 PM-Scott Rabbitt**, Park Supervisor stated Solar Bee would be here Thursday to take the aerators out of the lake.

#### **FOLDER REVIEW/COMMISSIONER BUSINESS**

**5:00 PM - The Commission reviewed folder items and took action on the following business:**

**Turch Contract**-Mr.Turch will be sending a Professional Consulting Agreement for review by the Commission. This agreement is between Turch and Associates and Fallon County and would allow Mr. Turch to assist with various items for the County, such as the Powder River Expansion.

**Fairgrounds**-The Commission was notified of water repairs that will be made at the Fairgrounds by CT Excavation. The floor for the new shop was poured; Griffith Steel will start on the building later. A cement landing was poured by one of the big barn entry doors for safety reasons.

**Grant Work Plan**-Commissioner Ranum signed, as Chairperson, the 2014-2015 Emergency Shelter Work Plan Grant paperwork.

**Notice**-The County, as Property Owners, received notification September 22, 2014 of the Public Hearing for the Keystone XL Man Camp Subdivision by rent or lease, to be held September 29, 2014 at 7:30 PM.

**9-1-1-Audit Report**-The 9-1-1 Audit identified one expenditure compliance issue. Chuck Lee, DES/911 Coordinator was contacted and the audit issue was resolved.

**Thank you**-Thank you was received from Chalee Harms for the saddle she won, donated by Fallon County, at the Baker/Wibaux Youth Rodeo.

**Funding Agreement**-The Commission received the Funding Agreement from the MT Department of Transportation for the Corridor Planning Study. The Agreement was sent to Rich Batterman, County Attorney for review.

#### **MISCELLANEOUS REVENUES**

**Jeff Ament**-Skate Park Donation-\$40,000.00

**Continental Resources, Inc.**-August, 2014 Oil and Gas Royalties-\$10,067.88

**Baker Air Service**-September, 2014-Aviation Fuel-\$586.06

**Mid-Rivers**-Encroachment Permit #603-\$150.00

#### **REPORTS/MINUTES/FLYERS**

**The Commission reviewed and/or approved the following which are filed in the Clerk and Recorder's office.**

**Seniors in Action**-October, 2014 Flyer

**Planner Staff Report**-Copy of the Baker Workforce Camp Major Subdivision Staff report was received and reviewed.

**Treasurer's Receipts**-September, 2014-Miscellaneous Revenues-\$6,771,674.25

**Treasurer's Receipts**-September, 2014-Rents/Leases/Oil & Gas Royalties-\$21,411.01

**Plevna Water Project**-September 15<sup>th</sup> and September 22, 2014 report

**Entitlement 1<sup>st</sup> Quarter Payment**-\$135,178.59

#### **RECESS**

**Commissioner Baldwin** made the motion to recess until Tuesday, September 30, 2014 at 1:00 PM. **Commissioner Randash** seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

Recess

Tuesday, September 30, 2014

**RECONVENE 1:00 PM**

**PRESENT Deb Ranum**, Chairperson; **William L. Randash** and **Steve Baldwin**, Members and **Brenda Wood**, Clerk and Recorder

**1:00 PM Chuck Lee**, DES/911 Coordinator; **Tim Barkley**, Sheriff; **Trenton Harbaugh**, Undersheriff; **Justin LaCroix**, City Police; **Randy Hoenke**, Fire Chief; **Fred Thomas**, Ambulance Director; **Bobby Wiedmer**, Road Foreman; **Faron Henderson**, Contract Planner; **Lance Wedemeyer**, Public Works Director; **Cody Shepherd** and **Matthew Jones**, BNSF Representatives.

**Home loss**-Chuck explained the fire from last year, a family lost the home they were renting in a fire.

**General Order**-The group discussed placement of a General Order.

**Longest train**-Felt the longest train would probably be 7000 feet.

Cody stated he would visit with the Forsyth Train Master and explain they must keep the Main Street crossing open.

**6<sup>th</sup> Street Crossing**-Chuck discussed possible placement of a 6<sup>th</sup> street crossing and the General Order further.

**Ordinance**-Commissioner Baldwin discussed passing a City Ordinance. Matt did not know if it would be enforceable.

**Crossing**-Discussed reducing the number of crossings we have in our area.

**Accountability**-Discussed who, if anyone, could be held accountable for the trains blocking the crossings. Cody explained the Train Master can be here more, for further accountability. They will make sure they are not blocking 3<sup>rd</sup> street, but most preferably Main Street. Matt will further discuss a general order.

**Siting**-Discussed moving the 3<sup>rd</sup> street siting or possibly they could use the old siting by Murphy's. Faron discussed leaving a crossing on the West and East end open

Matt felt they could get back to Chuck by next week. Commissioner Randash discussed speaking with DOT about the possible overpass plans. Matt discussed contacting Jason Sanchez, Head of Operations to get Baker on his radar.

**ADJOURN**

**Commissioner Randash** made the motion to adjourn. **Commissioner Baldwin** seconds the motion. 3 Ayes. 0 Nays. Motion carried unanimously.

ADJOURN  
s/Deb Ranum, Chairperson

ATTEST  
s/Brenda J. Wood, Clerk and Recorder